

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, APPROVING THE CITY OF HIALEAH LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SECTIONS 420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; AUTHORIZING EXPENDITURES OF NO MORE THAN TEN PERCENT (10%) OF THE LOCAL HOUSING DISTRIBUTION FUNDS AND NO MORE THAN AN ADDITIONAL FIVE PERCENT (5%) OF PROGRAM INCOME ON ADMINISTRATIVE EXPENSES; AND DIRECTING THE DEPARTMENT OF GRANTS AND HUMAN SERVICES TO IMPLEMENT THE TERMS AND CONDITIONS OF THE PLAN.

**WHEREAS**, the State of Florida enacted the William E. Sadowski Affordable Housing Act, Chapter 92-317, Laws of Florida, allocating a portion of documentary stamp taxes on deeds to local governments for the development and maintenance of affordable housing ; and

**WHEREAS**, the State Housing Initiatives Partnership (SHIP) Act, sections. 420.907-420.9079. Florida Statutes (2003), and Rule Chapter 67-37, Florida Administrative Code, requires local governments to develop a one-to-three year Local Housing Assistance Plan outlining how the funds will be used; and

**WHEREAS**, the SHIP Act requires local governments to establish the maximum SHIP funds allowable for each strategy; and

**WHEREAS**, the SHIP Act further requires local governments to establish an average area purchase price for new and existing housing benefiting from awards made pursuant to the Act with the methodology and methods used to be defined in a Local Housing Assistance Plan; and

**WHEREAS**, the Department of Grants and Human Services has prepared a three-year Local Housing Assistance Plan for the submission to the Florida Housing Finance Corporation; and

**WHEREAS**, The Mayor and City Council finds that it is in the best interest of the public for the City of Hialeah to submit the Local Housing Assistance Plan for review and approval so as to qualify for such documentary stamp tax funds; and

**WHEREAS**, the City of Hialeah based on budgetary estimates, finds that five percent (5%) of the local housing distribution funds apportioned to administrative costs is insufficient to adequately pay the necessary cost of administering the local housing assistance program in accordance with section 420.9075(6), Florida Statutes; and

**WHEREAS**, state law provides that the governing body of the municipality may approve expenditures for administrative costs not to exceed ten percent (10%) of the local housing distribution funds and five percent (5%) of program income deposited into the trust fund in accordance with section 420.9075(6), Florida Statutes and Fla. Admin. Code R. 67-37.007(4)(a) and (b).

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

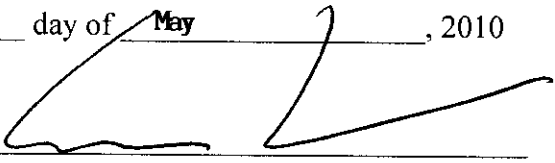
**Section 1:** The recitals and findings contained in the preamble to this resolution are hereby adopted by reference thereto and incorporated herein as if fully set forth herein.

**Section 2:** The Mayor and City Council of the City of Hialeah hereby approve the Local Housing Assistance Plan, as attached and incorporated hereto, for submission to the Florida Housing Finance Corporation as required by sections. 420.9071-420-9079, Florida Statutes, for fiscal years 2010/2011, 2011/2012 and 2012/2013.

**Section 3:** The City of Hialeah hereby authorizes the expenditures of no more than ten percent (10%) of the local housing distribution funds and no more than an additional five percent (5%) of program income on administrative expenses and costs.

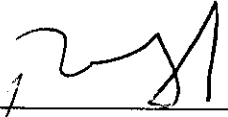
**Section 4:** The Department of Grants and Human Services is hereby designated and authorized to execute any documents and certifications required by the Florida Housing Finance Corporation as related to the Local Housing Assistance Plan, and to do all things necessary and proper to carry out the terms and conditions of the program.

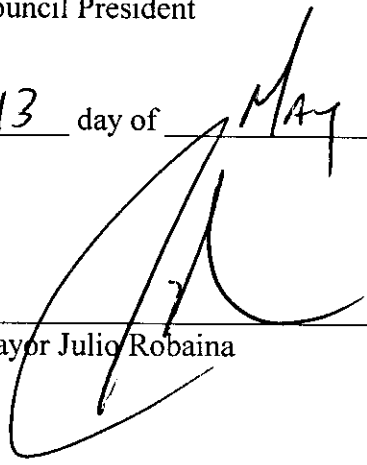
PASSED AND ADOPTED this 11th day of May, 2010

  
\_\_\_\_\_  
Carlos Hernandez  
Council President

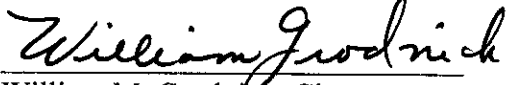
Approved on this 13 day of May, 2010

Attest:

  
\_\_\_\_\_  
Rafael E. Granado, City Clerk

  
\_\_\_\_\_  
Mayor Julio Robaina

Approved as to legal sufficiency and form:

  
\_\_\_\_\_  
William M. Grodnick, City Attorney

Resolution was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes."